

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/063,391	04/21/98	KATSURAGAWA	T 0557-4357-2

MARTIN J SPIVAK
OBLON SPIVAK MCCLELLAND
MAIER & NEUSTADT
1755 JEFFERSON DAVIS HWY 4TH FL
ARLINGTON VA 22202

LM01/0415

EXAMINER

DINH, T

ART UNIT	PAPER NUMBER
2752	

DATE MAILED: 04/15/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

09/063,391



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER 09/063,391 04 / FILING DATE KATU LURAY FIRST NAMED APPLICANT ATTORNEY DOCKET NO. 43-11-2

LM01/0415

D-1 EXAMINER

MARTIN J SPIVAK
OBLON SPIVAK MCCLELLAND
MAIER & NEUSTADT
1755 JEFFERSON DAVIS HWY 4TH FL
ARLINGTON VA 22202

ART UNIT 512 PAPER NUMBER

7/15/99

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- Responsive to communication(s) filed on _____
 This action is FINAL.
 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- Claim(s) 1-8 is/are pending in the application.
Of the above, claim(s) 6-8 is/are withdrawn from consideration.
 Claim(s) _____ is/are allowed.
 Claim(s) 1-5 is/are rejected.
 Claim(s) _____ is/are objected to.
 Claims _____ are subject to restriction or election requirement.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
 The drawing(s) filed on _____ is/are objected to by the Examiner.
 The proposed drawing correction, filed on _____ is approved disapproved.
 The specification is objected to by the Examiner.
 The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- Notice of Reference Cited, PTO-892
 Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
 Interview Summary, PTO-413
 Notice of Draftsperson's Patent Drawing Review, PTO-948
 Notice of Informal Patent Application, PTO-152

TAN DINH
PRIMARY EXAMINER

Art Unit: 2752

1) This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

See form PTO-948 attached.

2) Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

3) The I.D.S filed 07/20/98 has been considered by Examiner. However, the Japanese/foreign document(s), if they have not been written in English, are considered to the extent that could be understood from the Abstract (English language) and the drawings.

Form PTO-1449 is(are) attached herein.

4) The specification is not in US Patent's format. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to ~~§~~ Microfiche Appendix ~~§~~ and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase ~~§~~ Not Applicable ~~§~~ should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-References to Related Applications.
- © Statement Regarding Federally Sponsored Research or Development.

Art Unit: 2752

- (d) Reference to a § Microfiche Appendix § (see 37 CFR 1.96).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (I) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing (see 37 CFR 1.821-1.825).

5) The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested:

MAGNETO-OPTICAL RECORDING MEDIUM HAVING A PLURALITY OF
FERROMAGNETIC THIN LAYERS.

6) Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a *single paragraph* on a *separate sheet* within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should *avoid* using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Art Unit: 2752

The Abstract is not in a single paragraph. A new Abstract is required in next communication.

7) Claims 6-8 are objected to under 37 CFR 1.75[©] as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

8) Claims 1-5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase " thereon " (claim 1, line 2) render(s) the claim(s) indefinite since the resulting claim(s) do not clearly set forth the metes and bounds of the patent protection desired.

Claim(s) 2-5 incorporate the indefiniteness of claim(s) 1 by virtue of their dependency thereon.

9) Claims 1-5 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

10) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

ISAKA (4,686,661), OHTA et al (5,325,344), MATSUMOTO (5,430,695) and NISHIMURA (5,862,105) discloses a magneto-optical recording medium

Art Unit: 2752

having a plural ferromagnetic thin films and a method for recording and reproducing thereof.

11) Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAN DINH whose telephone number is (703)308-4859. The Examiner can normally be reached on Monday - Friday from 8:00AM to 5:30PM.

The fax phone number for the organization where this application or proceeding is assigned is (703)305-9731.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



TAN DINH
PRIMARY EXAMINER
April 9, 1999